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June 19, 2008

Via Facsimile 212-805-6304

Hon. Paul A. Crotty

United States District Judge, Room 735

Daniel Patrick Moynihan United States Courthouse

500 Pearl Street

New York, New York 10007-1312

USDS SDNY
DOCUMENT
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Re: CNAN GROUP S.P.A. v. HASSAN ALI RICE EXPORT COMPANY d/b/a IGEN
SEA SHIPPING

Docket Number: No. 08 CV 1201 (PAC)

Our Reference Number: 1385-08

Dear Judge Crotty:

We are counsel to defendant Hassan Ali Rice Export Company ("HAREC"). In accordance with Rule E(8) of the Supplemental Rules for Admiralty and Maritime Claims, HAREC makes a restricted appearance seeking to vacate the attachment of its funds under Supplemental Admiralty Rule E(4)(f).

On or about February 5, 2008, Plaintiff, CNAN Group S.P.A. ("CNAN") filed a Verified Complaint in this Court against Defendant "HASSAN ALI RICE EXPORT CO. d/b/a IGEN SEA SHIPPING". CNAN's Verified Complaint contained a prayer for issuance of an Ex Parte Order for Process of Maritime Attachment and Garnishment. CNAN's Verified Complaint set forth erroneous and misleading allegations claiming that HAREC and Igen Sea are related companies. Based upon these erroneous allegations, this Court issued an Ex Parte Order dated February 11, 2008, authorizing the attachment of HAREC's property in this district in an amount up to \$443,032.79, inclusive of costs and interest.

As a result of CNAN's service of the Ex Parte Order and Process of Maritime Attachment and Garnishment, \$443,032.79 of HAREC's property has been improperly restrained in the District.

HAREC now seeks to vacate the attachment of its funds pursuant to Admiralty Rule E(4)(f) by filing and serving a Notice of Motion and memoranda on CNAN. HAREC respectfully requests that your Honor waive the requirement of a pre-motion conference as the parties have not yet resolved this matter and such a conference will only serve to further delay resolution of this matter.

We thank Your Honor for your consideration of this request. Should Your Honor have any questions or comments we are available to discuss the same at any convenient time to the Court.

6/10/2008
There is no need for a pre motion
conference. Mr. Orabes will contact
the parties to schedule a mutually
convenient time for defendant E(4)(f)
application
So ordered
Paul Murphy

MEMO ENDORSED

MEMO ENDORSED

Respectfully submitted,


Anne C. LeVasseur

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